

### REMARKS

Applicants submit the foregoing amendments and these remarks in response to the Non-Final Office Action dated December 29, 2008 (“the Office Action”). Claims 26-65 were pending as of the date of the Office Action. Claims 1-25 were previously cancelled, and claims 36, 40, and 52 are now cancelled. Claims 26, 31-35, 37-39, 41, and 42 have been amended as set forth above. Claims 66 and 67 have been added as set forth above. Thus, claims 26-35, 37-39, 41-51, and 53-67 are currently pending. No new matter has been added with the amendments to the claims or addition of new claims. Applicants respectfully request reconsideration of the application in accordance with the following remarks.

### Claim Rejections – 35 U.S.C. § 103

#### Claim 42 and Dependents

Claims 42-45 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,781,909 to Logan et al. (“*Logan*”) in further view of U.S. Patent No. 6,286,029 B1 to Delph (“*Delph*”).

Independent Claim 42 recites, in part, “receiving, from a remote central control server, a notice of a change to the list of pages during display of pages in the list in a substantially continuous loop; transmitting a request for a new page identified in the notice of a change to the list of pages, the new page generated by the remote central control server and containing the changed data, wherein the request for the new page is transmitted in response to the notice; and receiving the new page containing the changed data from the remote central control server.” The combination of *Logan* and *Delph* fail to teach or suggest these limitations.

*Logan* teaches a kiosk management system that displays pages. *Logan* teaches that when the kiosk display units are idle (i.e., when a session for displaying pages has ended), “the display unit makes use of the idle time to perform housekeeping information transfers.” (*Id.* at col. 18, ll. 35-40; *see also id.* at col. 19, ll. 34-67.) Specifically, the *Logan* system takes advantage of the idle state to “verify the integrity of stored files against the remote originals.” (*Id.* at col. 18, ll. 47-57; col. 19, ll. 34-67.) This involves sending “if-modified-since” messages as well as

retrieving modified versions of the pages for storage at the remote display devices. (*Id.* at col. 18, ll. 47-57; col. 19, ll. 48-59.) A central control server does not initiate this update sequence in Logan. Instead, *Logan*'s client kiosks inquire whether their display data is current by initiating client-specific requests for and collection of if-modified-since data. Further, *Logan* does not collect modified data through a central control server, the client kiosks interfacing with external data sources directly for the modified data housed at the external data sources. As a result, the *Logan* system fails to enjoy the efficiencies of the centrally-managed techniques performed by the apparatus in Claim 42.

*Delph* also fails to teach or suggest the limitations discussed above. In *Delph*, client kiosk display devices display a particular page for a period of time according to instructions received from the intermediate server regarding that particular page. Once the period of time expires, the client kiosk requests another page from the intermediate server. *Delph* at col. 6, ll. 10-17. Requests sent to the intermediate server are based on a "data identification code," previously received by the kiosk from the intermediate server. *Id.* at col. 5, ll. 60-67. The data identification code may point to a URL at the intermediate server identifying a next page in a "run list." *Id.* at col. 6, ll. 13-14. The client kiosk in *Delph* is not otherwise taught to have access to the data it is to receive or display. In this sense, the kiosk client in *Delph* is a "dumb" client, in that it is spoon-fed, from the intermediate server, not only the actual data it is to display but also what data it is to display. The instruction to display a page is received one page at a time, the intermediate server repeating the request/send sequence for each page. *See id.* col. 6, ll. 17-19 ("Intermediate server 50 then goes back to step 5"). If a change were to occur to a page in the *Delph* run list, the kiosk is not notified of this change. The client kiosk simply receives the new page, unaware that it is "new." Further, the client kiosk in *Delph* does not have any control over whether, when, or how the new, replacement page or data will be accepted. The kiosk does not receive a notification that data has changed and therefore does not request transmittal of the new data "in response to the [received] notice [of a change]." This is disadvantageous if some level of autonomy is desired in the client display units. *Delph* also teaches a system that is relatively inefficient in that the persistent, page-by-page transmissions and communication

between clients and servers taxes the communication resources of the system. In short, Applicants assert that, in light of these deficiencies, *Delph* fails to remedy the deficiencies of *Logan*. As a result, Applicants respectfully request withdrawal of the rejection to Claim 42, as well as Claim 43-45 dependent therefrom.

Claim 46 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Logan* in view of *Delph*, and in further view of U.S. Patent Application Publication No. 2002/0078134 A1 to Stone *et al.* (“*Stone*”). It has not been shown how Stone remedies the deficiencies of the *Delph-Logan* combination. Accordingly, Applicants also request withdrawal of the rejection of Claim 46.

#### Claim 26 and Dependents

Independent method Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the *Delph-Logan* combination, further in view of *Whalen*. Claim 26 recites limitations similar to Claim 42, including “receiving a notice of a change to the rotation set, from the remote central control server, during display of the rotation set pages in a substantially continuous loop; transmitting a request to the remote central control server in response to the received notice of a change to the rotation set, for a page, to be generated and transmitted to the display device containing the changed data in response to the notice, wherein the request is transmitted to the remote central control server in response to the received notice of a change to the rotation set; and receiving the page containing the changed data from the remote central control server.” Applicants respectfully assert that the addition of *Whelan* fails to remedy the deficiencies of the *Delph-Logan* combination.

*Whalen* teaches a proxy server system adapted for use in “narrow-band, high latency connection[s].” *Whalen* at col. 1, ll. 38-39. Mobile client devices attempt to build HTML documents, sending requests for webpage elements through a proxy server. *Id.* at col. 3, ll. 43-57. *Whalen* makes no known provision for sending, receiving, or acting upon “notice[s] of a change to [a] rotation set.” Accordingly, *Whalen* does not resolve the deficiencies of the *Delph-*

*Logan* combination. Applicants thereby request withdrawal of the rejection to Claim 26, as well as Claims 27, 29, 30, 47-49, 51, and 58-60 dependant therefrom.

Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Logan*, *Whalen* and *Delph*, and in further view of U.S. Patent Application Publication No. 2002/0078134 to Stone *et al.* (“*Stone*”).

Claim 50 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Logan*, *Whalen*, and *Delph* in further view of U.S. Patent Publication No. 2002/0016839 to Smith *et al.* (“*Smith*”).

Claims 52-53, 55, and 63-65 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Logan*, *Whalen*, and *Delph* in further view of *Lefebber*.

Claim 54 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Logan*, *Whalen*, *Delph*, and *Lefebber* in further view of *Smith*.

Claims 56-57 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Logan*, *Whalen*, *Delph*, and *Ballard* in further view of U.S. Patent No. 6,985,950 to Hanson *et al.* (“*Hanson*”).

Claims 61-62 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Logan*, *Whalen*, and *Delph* in further view of *Ballard*.

Claims 28, 50, 52-57, and 61-65 depend from Claim 26. It has not been shown how *Stone*, *Smith*, *Lefebber*, *Ballard*, or *Hanson* either by themselves or in combination overcome the deficiencies of the *Logan-Delph-Whalen* combination. Accordingly, Applicants respectfully submit that the rejections of Claims 50, 52-57, and 61-65 under 35 U.S.C. §103 are improper for at least the same reasons articulated regarding Claim 26.

#### Claim 31 and Dependents

Independent system Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0046299 to Lefebber *et al.* (“*Lefebber*”) in further view of the *Delph-Logan-Whalen* combination and U.S. Patent No. 6,311,187 B1 to Jeyarman *et al.* (“*Jeyarman*”). Claim 31 recites limitations similar to Claims 26 and 42,

including “at least one central control server adapted to receive a notification from a remote data server that data, provided by the remote data server for inclusion in a page to be displayed by a display unit, has changed; respond to the received notification that data has changed by...notifying the at least one display device of the change in the stored data; receive a request for a page containing the changed data; generate the requested...incorporating at least a portion of the changed data; and send the page to a display device that displays the page in response to the received request.” Claim 31 further recites “at least one display device adapted to...receive a notice of the change in the stored data from the central control server during display of the rotation set pages in a substantially continuous loop; transmit the request for the page containing the changed data to the central control server; and receive the page containing the changed data.

As a preliminary matter, Applicants note again that the Office has conceded that *Lefeber* fails to teach these limitations. As stated in the Office Action dated July 22, 2008 (the “July Action”), *Lefeber* does not teach “display[ing] each page...in the predetermined sequence repeatedly in a substantially continuous loop until a new rotation set is received, [t]ransmit[ting] the request for the page containing the changed data, [and] [r]eceive[ing] the page containing the changed data.” July Action at p. 16. The substance of this concession is reiterated in the present Office Action.

*Jeyarman* is directed to propagating changes to “copies of data” stored in remote caches. *Jeyarman* at col. 2, ll. 4-5. *Jeyarman* does not pertain to displaying, changing, or notifying clients of changes to rotation sets. Moreover, *Jeyarman* does not remedy the deficiencies of the *Lefeber-Delph-Logan-Whalen* combination. Accordingly, Applicants respectfully request withdrawal of the rejection to Claim 31, as well as Claims 32 and 39 dependent therefrom.

Claims 33-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Lefeber*, *Logan*, *Whalen*, *Delph*, and *Jeyarman* in further view of U.S. Patent Publication No. 2003/0084124 A1 to Su et al. (“*Su*”).

Claim 37 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Lefeber*, *Logan*, *Whalen*, *Delph*, and *Jeyarman* in further view of U.S. Patent Publication No. 2003/0005129 A1 to Scheinkman (“*Scheinkman*”).

Claims 38 and 41 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Lefeber, Logan, Whalen, Delph, and Jeyarman* in further view of SearchSecurity.com, pages 1-3, published Oct. 5, 2000 ("SearchSecurity.com").

Claim 40 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Lefeber, Logan, Whalen, Delph, and Jeyarman* in further view of U.S. Patent Publication No. 2004/0039776 A1 to Ballard ("*Ballard*").

Claims 33-38 and 40-41 depend from Claim 31. It has not been shown how *Su*, SearchSecurity.com, *Scheinkman*, or *Ballard* either by themselves or in combination overcome the deficiencies of the *Logan-Lefeber-Delph-Whalen-Jeyarman* combination. Accordingly, Applicants respectfully submit that the rejections of Claims 33-38 and 40-41 under 35 U.S.C. §103 are improper for at least the same reasons articulated regarding Claim 31.

### CONCLUSION

Any circumstance in which the Applicants have: (a) addressed certain comments of the examiner does not mean that the Applicants concede other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the Applicants concede any of the examiner's positions with respect to that claim or other claims.

In view of the above, and for other reasons clearly apparent, Applicants respectfully submit that the Application is in condition for allowance, and requests such a Notice.

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any deficiencies or required fees or any credits to deposit account no. 05-0765, referencing the above attorney docket number.

Respectfully submitted,

Date: March 27, 2009

/J. Kyle Komenda/

J. Kyle Komenda

Reg. No. 56,556

**PTO Customer No. 26230**

Fish & Richardson P.C.

1717 Main Street, Suite 5000

Dallas, TX 75201

Telephone: (214) 747-5070

Facsimile: (877) 769-7945